

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED IN OPEN COURT

DATE: 3-30-2005

TIME: 10:08 AM

INITIALS: JH

UNITED STATES OF AMERICA,
Plaintiff,

v.

CHERMIKA MCMILLAN,
Defendant.

Cr. No. 04-20387D

PLEA AGREEMENT

The following constitutes the Plea Agreement reached between the United States, represented by Terrell L. Harris, United States Attorney, defense counsel, Edwin Perry, Esq, and the defendant, Chermika McMillan. The parties, represented and advised throughout by counsel, agree to the following:

1. Ms. McMillan agrees to plead guilty to Count Two of the indictment.
2. At sentencing, the United States will dismiss the remaining counts contained within the indictment.
3. The Sentencing Guidelines, which establish the penalty range, will be computed on the total amount of relevant conduct, including those counts which the United States has agreed to dismiss at sentencing. The parties agree that the total amount of relevant conduct and any other sentencing enhancements will be determined by the sentencing court utilizing a preponderance of the evidence standard.
4. Any restitution ordered by the Court will be based on the total amount of relevant conduct.

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5. At sentencing, defendant will pay a special assessment in the amount of \$100.00.

6. If the defendant has a criminal history category level one and manifests a complete acceptance of responsibility, the United States will recommend full acceptance of responsibility to the district court.

7. There are no agreements as to supervised release, probation, fines, or restitution. These matters are left to the sound discretion of the district court judge.

8. This Plea Agreement constitutes the entire agreement between the parties and the parties agree that any issues not specifically addressed by this Plea Agreement shall be resolved by the Court in accordance with the applicable statutes, guidelines, rules, and case law.

9. Any restitution and/or fines ordered by the Court shall be payable during the period of incarceration or probation.

FOR THE UNITED STATES


TERRELL L. HARRIS
UNITED STATES ATTORNEY

By: 
Camille R. McMullen
Assistant United States Attorney

3/30/05
Date


Edwin Perry
Defense Counsel

3/30/05
Date


Chermika McMillan
Defendant

3/30/05
Date



Notice of Distribution

This notice confirms a copy of the document docketed as number 56 in case 2:04-CR-20387 was distributed by fax, mail, or direct printing on April 4, 2005 to the parties listed.

US Pretrial Office
Memphis, TN

US Probation Office
Memphis, TN

US Marshals
Memphis, TN

Honorable Bernice Donald
US DISTRICT COURT